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Mr. Anthony Davis,
Chair, Rules-Confirmations-Public Elections Committee
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I am writing to address some of the issues that have been raised recently concerning my actions as the Public Guardian for Nashville and Davidson County, Tennessee. Recent reports have cast me in a less than favorable light and I want you to be aware that the stories are not fully reflective of the actual events.

I have been accused of taking someone to a concert at my full legal rate. As regards the concert, I did not charge my full rate. I charged one third of my usual billing rate. The reason I went was that the ward in question had season tickets and had just expressed an ardent desire to go to her favorite Christmas concert. She had certain physical conditions that required an extra degree of care and attention. She also had mental conditions that meant she could go from being a happy concert goer to a significant problem in a short period of time. I tried to make suitable arrangements to get her to the concert but due to the season and my late notice of her desire to go, I could not get the people I normally use to take her. I did not want a home health company to take her as she was express in her desire to not be seen as needing help. So, I went and took with me two other people so as to ensure the least physical exertion possible for my charge. I bought my own tickets, as well as tickets for the other persons I brought with me. Going to the concert made her Christmas and she was grateful to me.

As to the allegations about errands, please let me be clear that it is not my normal practice to run errands and charge full fees. The great majority of the errand like services have been provided to my wards at no charge to them. My staff performs most of the errand like services. Where I can I have given money to the people running the group home or facility involved so that their employees could handle errand like issues. The cases where I have personally provided errand like services have been confined to a very few wards whose mental conditions made it likely that they would create problems in the middle of the public outing. If you look at the hundreds of cases where I have been appointed conservator compared to the very few cases brought up in the recent newspaper article, you will be able to see for yourself that the reporter dealt with only a tiny portion of the cases where I provided conservatorship services.

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My practice has always been to provide the full services that any ward needs regardless of the ability of the ward to ever pay me fees. I am well aware that I have some wards whose financial condition is such that I know I will not ever be paid. More than that, there are wards who can pay, but have little by way of resources and whom I charge for only the most essential services. This is my fiduciary duty towards my wards.

No matter the ability of my wards to pay my fees I always file a fee affidavit to appraise the Court of my activities in each and every case. That way the Judge and the public can see what I have done even when I know I will not get paid. I feel this is an important part of transparency in my dealings that Judge Kennedy demands.

I am well aware that certain recent reports about my activities have attempted to make me look like a greedy person willing to financially harm my wards and cause grief to their families. As a lead up to the article I was asked a number of questions by the reporter. I fully answered those questions as honestly and truthfully as possible. The questions and answers were excerpted only in the online version of the paper. In order to provide you with relevant information I am attaching a copy of the full questions and answers with this letter. Among other things you will be able to see that I have employed people to take on errand like tasks and intended on delegating more such tasks to employees.

All that being said, I understand that appearances can sometimes be as important, if not more important, than reality. It has always been my practice to be cost effective for my wards. I intend to continue to be as cost effective for my wards as I can possibly be. I have used this opportunity to do a self evaluation of my practices and how I can improve them. My goal is to not only act above reproach, but act above even the appearance of impropriety. For that reason I am in the process of hiring a non family employee to take on non attorney tasks for my wards. I will bill the services of this employee at reasonable rates and entrust as many matters as is possible to this person. This plan will be put into action as soon as is possible.

Please accept my apologies for any stress this may have put on any of you.

Sincerely,

Jeanan Mills Stuart